

Case 2:03-cv-01770-GLL-FXC Document 64 Filed 03/11/07 Page 1 of 1

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ANCELL HAMM,

Plaintiff,

v.

EDWARD RENDELL, Governor, MICHAEL
FISHER, Attorney General, JEFFREY
BEARD, DOC Secretary, NEAL
MEACHLING, Superintendent, C.O.
YOLINSKY, C.O., GEORGE, , C.O.
PEER, Lt. BLAKEY, C.O. TEETER,
WILLIAM STICKMAN, Superintendent,
Sergeant COOPER, Captain COLE,
SHELLY MANKEY, JAMES META, ROBERT
BITNER, and TONY EDWARDS,

Defendants.

Civil Action No. 03-1770
Judge Gary L. Lancaster/
Magistrate Judge Francis
X. Caiazza

AND NOW, THIS 9th DAY OF
March 2007, IT IS HEREBY
ORDERED THAT THE WITHIN
MOTION IS DENIED.

G. L. Lancaster
GARY L. LANCASTER,
UNITED STATES DISTRICT JUDGE

MOTION FOR RECONSIDERATION

NOW COMES, ANCELL HAMM, PLAINTIFF, who motions Judge Lancaster, for
its reconsideration for the following reasons as set forth below;
To Wit:

- 1.) This court committed an error of law inasmuch as, there is no available
administrative remedies to exhaust when it adopted the Report & recommendat-
tion of the Magistrate Judge Caiazza, as dated 31. January 2007;
- 2.) This court committed an error of law when it permitted the defendants
to bring an incomplete state record into the district court that the
plaintiff has been convicted of two counts of homicide as this violates
the mandates by the U.S. Supreme Court in its landmark decision:
Goodenough Horseshoe Mfg. Co., vs Rhode Island Horseshoe Co., 154 U.S.
635 (1877);
- 3.) This court has committed an error of law when it adopted the Report &
Recommendation of the Magistrate, that violates the state supreme court's
decision by Justice Roberts, in Comm. vs Hamm, 474 Pa. 487, 378 A.2d.
1219 (Pa. 1977),